

RENTON CITY COUNCIL
Regular Meeting

May 8, 2006
Monday, 7:00 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; TONI NELSON; DAN CLAWSON; DENIS LAW; TERRI BRIERE; MARCIE PALMER; DON PERSSON.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; BEN WOLTERS, Economic Development Director; REBECCA LIND, Planning Manager; KAREN MCFARLAND, Engineering Specialist; INTERIM CHIEF LARRY RUDE, Fire Department; INTERIM CHIEF KEVIN MILOSEVICH, COMMANDER TIM TROXEL, COMMANDER KATIE MCCLINCY, and COMMANDER KENT CURRY, Police Department.

PROCLAMATION

Teacher Appreciation Week -
May 7 to 13, 2006

A proclamation by Mayor Keolker was read declaring the week of May 7 to 13, 2006, to be "Teacher Appreciation Week" in the City of Renton and encouraging all citizens to honor teachers and recognize their invaluable contributions to Renton's youth. MOVED BY LAW, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED. Marcie Maxwell accepted the proclamation on behalf of the Renton School Board and Renton Chamber of Commerce, noting that the Chamber will honor teachers during the Ahead of the Class Awards Program on May 9th.

SPECIAL PRESENTATION

Board/Commission: Firemen's
Pension Board, William Henry
Service Recognition

Mayor Keolker presented William Henry with a plaque and a certificate of appreciation in recognition of his 25 years of service on the Firemen's Pension Board. Ray Barilleaux, Firemen's Pension Board Member, expressed his appreciation for Mr. Henry's service, saying that he was instrumental in making decisions that benefited both the City and the pension recipients.

PUBLIC MEETING

Planning: Highlands Area
Redevelopment

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public meeting to consider redevelopment of the Highlands area, which is generally located between NE 6th St. and NE 21st St., and between Edmonds Ave. NE and Monroe Ave. NE.

Public comment was invited.

Howard McOmber, 475 Olympia Ave. NE, Renton, 98056, voiced concern regarding the City's potential use of eminent domain to acquire private property for another private party rather than for a public use. He suggested using a portion of the redevelopment effort's budget on a low interest loan program to improve the dilapidated structures, and giving property owners a chance to make the needed improvements. Mr. McOmber urged Council to end the moratorium, and to improve the zoning proposal by making the regulations simpler, clearer, and friendlier.

Bob Gevers, 900 Kirkland Ave. NE, Renton, 98056, stated that a majority of the residents seem to agree that something needs to be done, but disagree with the proposed methods and priorities. He voiced dismay at the use of the terms

"eminent domain," "blighted," and "non-conforming" in relation to the zoning proposal. Mr. Gevers indicated that revenue enhancement has been given higher priority than what the majority of the residents want. He asked that residents be kept informed of the process, and of the changes that occur to the proposals as a result of citizen input.

Rebecca Alder, 3112 NE 14th St., Renton, 98056, reported that she lives in a triplex which she owns, and said she believes the City is working in the best interest of the community. Acknowledging the residents' fear of eminent domain, she stated her belief that the City is not headed in that direction. Ms. Alder assured that she is not afraid of what is going to happen.

Pat Sado, 9902 126th Ave. SE, Renton, 98056, speaking on behalf of her mother, asked the City to be careful in its planning for townhouses with alleys, as two-car garages and additional parking is essential. She added that alleys can also attract criminal activities. Ms. Sado expressed concern that her mother will be forced to sell her property if all adjacent properties are bought by developers. Additionally, she suggested that the name and picture of landlords who do not maintain their property be published in the newspapers.

Howard Baldridge, 1526 Jefferson Ave. NE, Renton, 98056, owner of a duplex at 1515 Kirkland Ave. NE, objected to his taxes being used to take his home away. He indicated that he does not want to move, and is hoping to give his two daughters his properties. Mr. Baldridge noted that alleys are noisy and devalue property, and that the City's water rates are too high.

Sandel DeMastus, Highlands Community Association (HCA) Vice President, 1137 Harrington Ave. NE, Renton, 98056, stated that HCA is a 501(c)(3) non-profit organization, and named the nine board members. She indicated that the association is now 300 members strong, and has participated in and contributed to many Highlands area improvement projects. Ms. DeMastus urged the City to work with HCA.

Brett Hawton, 1308 Harrington Ave. NE, Renton, 98056, said Renton's target growth, as mandated by the State Growth Management Act, is probably being met; therefore, high density development is not needed in the Highlands. He pointed out that high density zoning will negatively affect traffic flow and the parks, and does not promote a good family environment. Mr. Hawton indicated that townhome development will reduce the value of his single-family home.

Inez Petersen, Highlands Community Association (HCA) Secretary, 3306 Lake Washington Blvd. N., #3, Renton, 98056, noted the importance of zoning, as it defines what will happen to the area in the future. She emphasized that residents are concerned about the City's vision of the area. Ms. Petersen suggested the use of the Landlord-Tenant Act to deal with the landlords of dilapidated properties. She relayed that HCA recommends a bottom-up approach; a review of the proposed zoning and neighborhood planning; and a coalition between the City, citizens, citizen-chosen developer partner, and Section 8 housing management. Ms. Petersen stated that tax dollars should not be spent on a declaration of blight.

Linda Perrine, 1157 Glennwood Ave. NE, Renton, 98056, stated that if her property is rezoned, her duplex becomes non-conforming. She pointed out that only developers, not average home buyers, will be interested in purchasing her

property, which narrows the field of potential buyers. Stressing that she does not want to move, Ms. Perrine indicated that she has improved her property and wants to build a garage when the moratorium is lifted.

Steve Stout, 1157 Glennwood Ave. NE, Renton, 98056, stated his objection to the moratorium and to the proposed non-conforming uses, which restrict what owners can do with their property and limits property values. He noted that a declaration of blight stigmatizes the area, and townhome development constricts people from recreating outside their homes. Mr. Stout emphasized that this effort punishes owners who have taken good care of their properties.

Fred Crothamel, 2951 74th Ave. SE, Mercer Island, 98040, thanked the City for the mailing which stated that the renewal plan will not displace residents. Noting the thriving housing market, he expressed surprise about the lack of interest by developers in his Highlands-area property.

Terence Agnew, 1551 Hillside Dr. SE, Issaquah, 98027, owner of property at 1801/1803 Index Ave. NE, stated that if people do not have pride in their neighborhood, they will not take care of the neighborhood. He noted the inevitability of density in the Puget Sound Region, and the need to make wise choices to achieve the common goal of improving the Highlands area.

Bimal Kumar, 2102 NE 23rd St., Renton, 98056, pointed out that the vision for the area, adopted in 1993, came to a stop and nothing has since happened. He indicated that he is developing property located at 1500 Index Ave. NE, and voiced his frustration with not being able to develop it the way he wanted to. Mr. Kumar stated that the friction between the citizens and the City is caused by disrespect, and he noted that being respectful can solve a lot of problems.

Virginia Haugen, 2503 R St. SE, Auburn, 98002, stated that she is a former Auburn City Councilmember. She pointed out that she has high density zoning near her home, and noted the associated traffic and parking problems. Ms. Haugen indicated that this effort is about money, which will not be used for citizen services, but for jobs at City Hall.

Phyllis Besaw, 15907 NE 65th St., Redmond, 98052, owner of property at 1528 Index Ave. NE, submitted a letter and expressed concern about the City's ratings of the Highlands property conditions. She noted that her property, which is in good condition, has been given a poor rating. Ms. Besaw stated that the overall assessment of the area can only be based upon the condition of the individual properties; therefore, the rating information should be accurate. She requested that the City put a mechanism in place that allows owners to review their property rating, and provide additional information, if needed, to achieve accurate ratings.

Bonnie Lewis, 1520 Harrington Ave. NE, Renton, 98056, stated that she needs the land on which her duplex is built to accommodate her dog; therefore, she does not plan on staying in the Highlands if the area is rezoned. She noted that a nearby home is vacant and should be demolished, and that a nearby unmarked, unpaved alley is not being properly maintained.

Heidi Beckley, 806 Index Ct. NE., Renton, 98056, acknowledged the strong sense of fear of the Highlands residents. She expressed her favor for open mindedness and creative solutions to achieve the neighborhood everyone wants.

Ms. Beckley stated that she feels bad when she sees the run-down buildings, and she hopes the City will continue to address this matter. She suggested setting up panels for the exchange of ideas.

Marcie Maxwell, PO Box 2048, Renton, 98056, said she has observed the need for a variety of housing and additional housing in Renton, including both rental and purchasable properties. She encouraged the City to look at future housing needs, to recognize the importance of timing in the making of decisions, and to keep moving forward.

Phillip Beckley, 806 Index Ct. NE, Renton, 98056, stated that the City is doing a good job overall, pointing out that this effort is painful but survivable.

John Visser, 19404 102nd Ave. SE, Renton, 98055, owner of a duplex at 1131 Glennwood Ave. NE, displayed photographs of buildings in the vicinity of Harrington Ave. NE, saying that they are well maintained and that good housing does not need to be torn down. He noted the importance of sidewalks, backyards, and space for parking. Mr. Visser suggested changing the duplexes into two-level fourplexes.

Kimberly Pedersen, 17016 27th St. E., Lake Tapps, 98391, spoke on behalf of her mother-in-law who has lived at 1536 Index Ave. NE for 50 years. She pointed out that the strong house is well maintained. Ms. Pedersen expressed concern regarding the potential demolition of the area, and suggested that the City individually deal with the owners who do not take care of their properties. She urged the City not to displace her mother-in-law.

Mark Zimmerman, 4600 NE 12th St., #4, Renton, 98059, indicated that the City is stopping development in the area due to the moratorium. He expressed his concerns regarding the proposed zoning, specifically the use of alleys and the high density. Mr. Zimmerman objected to eliminating single-family housing and to making existing structures non-conforming. He stated that new building will occur if the upzoning were to have more development options.

Theresa Elmer, 3101-A NE 13th St., Renton, 98056, speaking on behalf of the property owner, expressed confusion regarding the zoning of the property. She voiced concern regarding the lack of notification from the City, and objected to making existing structures non-conforming. Ms. Elmer suggested stricter codes and code enforcement for those properties that are not maintained. She pointed out that the moratorium prevents owners from improving their properties, which seems to contradict what the City is trying to do. Stating that the proposal appears to be one-sided in favor of the City and excludes the voice of the property owners, Ms. Elmer suggested that more consideration of the effort is needed.

Donovan Boyd, 2901 NE 8th Pl., Renton, 98056, shared the concerns of his neighbor about information found on the City's website pertaining to the declaration of blight and the acquisition of private property for private parties, the moratorium, and the difficulty of developing property under the proposed zoning. Additionally, Mr. Boyd said his neighbor wants properties evaluated and a chance to correct problems with the City's assistance, and questions why property owners are not being offered the same partnership that is proposed with private developers.

At the request of Mayor Keolker, correspondence was entered into the record from Senator Margarita Prentice, 11th Legislative District, responding to a

comment made by Sandel DeMastus regarding the Highlands Community Association at the April 24th Council meeting. Senator Prentice indicated that the 11th District legislators have not taken a position on the matter of the Highlands area, as their responsibility is district-wide on matters handled legislatively.

Correspondence was read from: John A. Hansen and Sue Hansen, 1108 Anacortes Ave. NE, Renton, 98059; Jerri Broeffle, 850 Monroe Ave. NE, Renton, 98056; Joan Crueger, PO Box 332, Snohomish, 98291 (property at 624-626 Index Pl. NE); and Scott Johnson, 5164 150th Pl., SE, Bellevue, 98006 (property at 2624 NE 9th Pl., 1317 Edmonds Ave. NE and 3323 NE 12th St.). Comments included: support for the Highlands redevelopment effort; support for rezoning the area and more affordable housing; and concern that the entire matter has been poorly dealt with, that what has been done to date has not accomplished the City's goal of a center village, that the City has not effectively reached out to citizens and business owners, that the use of eminent domain be removed from the planning process, and that potentially hazardous situations such as pipelines and old mines need to be assessed in the land use planning.

Additionally entered into the record was an informal petition signed by seven individuals, submitted by Howard J. McOmber, Sr., 475 Olympia Ave. NE, Renton, 98056, requesting that the City partner with them to revitalize the North Harrington community.

There being no further public comment, it was MOVED BY NELSON, SECONDED BY CLAWSON, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

RECESS

MOVED BY NELSON, SECONDED BY PALMER, COUNCIL RECESS FOR FIVE MINUTES. CARRIED. Time: 8:51 p.m.

The meeting was reconvened at 9:00 p.m.; roll was called; all Councilmembers present.

PUBLIC HEARINGS

Planning: Highlands Subarea
Plan Study Area Moratorium

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider extending the moratorium, which expires May 14th, on new development in the R-10 (Residential - ten dwelling units per acre) and RM-F (Residential Multi-Family) zones within the Highlands Subarea Plan study area.

Alex Pietsch, Economic Development Administrator, stated that staff recommends a moratorium extension to provide adequate time for resolution of the appeal of the SEPA determination on the Highlands Subarea rezoning proposal, which has stayed Council's ability to enact the zoning proposal.

Rebecca Lind, Planning Manager, explained that the moratorium was enacted to achieve the following planning goals: study the Highlands neighborhood and develop zoning consistent with the Comprehensive Plan, and prevent new development that is inconsistent with future land use from becoming vested. Ms. Lind pointed out that once a new project is vested, it is allowed to develop under the regulations in effect at the time of application. She displayed an example of a development project that vested prior to the moratorium declaration, and noted features that are inconsistent with the proposed design guidelines.

Continuing, Ms. Lind listed property improvements that are allowed and not allowed under the moratorium. She reported that new zoning is needed for the

Highlands revitalization regardless of any further action for the following reasons: it is required by the Comprehensive Plan, it provides incentive for investment, it creates standards for the creation of quality housing, and it creates a permanent stock of affordable housing. Ms. Lind noted that Council should consider amending the Comprehensive Plan if low density development in the Highlands is desired.

Ms. Lind stated that staff recommends a moratorium extension to allow time for the resolution of the appeal, and to prevent low quality development that is inconsistent with future land use. She proposed that the moratorium area be amended to only include the areas zoned R-10 north of NE Sunset Blvd., and the RM-F-zoned area along Glennwood Ave. Ms. Lind explained that the excluded areas do not contain the large, easily subdivided lots, and some are zoned multi-family. She indicated that the single-family platting, and the duplex properties that are inconsistent with the Comprehensive Plan's vision are concentrated in the amended moratorium area. Ms. Lind reviewed the proposed rewording of the moratorium resolution, noting that implementation of the provision was discussed with the Development Services Director.

Ms. Lind acknowledged Council's reluctance to extend the moratorium again, and asked that at a minimum, Council consider a moratorium that bans the subdivision of property to create additional new single-family building lots. She explained that further fragmentation of the land will make it more difficult to do anything in the future.

Mr. Pietsch stated that two moratorium extension resolutions were prepared, pointing out that the alternate resolution only prohibits the subdivision of land. He noted that although the moratorium time period is six months, the moratorium can be lifted upon resolution of the appeal and the zoning proposal.

In response to Councilman Clawson's inquiries, Ms Lind stated that the progression of the subject appeal process is as follows: Hearing Examiner, Growth Management Hearings Board, and Superior Court. In regards to property improvements, she indicated that projects will be reviewed on a case-by-case basis based on non-conforming rules. Under the moratorium, staff intends to treat the use exactly as it would treat the expansion of a non-conforming use.

Pointing out that a lot has happened since the moratorium was enacted, Council President Corman commented that the entire community is probably aware of what is going on, and Council has said that it does not intend to use eminent domain to take anyone's property. If citizens know what the plans are, if citizens are going to take charge of their own destiny, if the City is going to enact zoning that will increase the property values, Mr. Corman questioned what is wrong with citizens choosing to build at the current density. He indicated that the best financial decision is probably to wait and build when the new zoning is in place; however, citizens are relaying that they want the choice. Mr. Corman noted that citizen's fear the moratorium is being used to keep property values down.

Public comment was invited.

Howard McOmber, 475 Olympia Ave. NE, Renton, 98056, stressed that owners should have a certain amount of freedom and creativity to do what they want with their property. He expressed his displeasure with the proposed cottage style housing, saying that the zoning proposal needs to be more flexible and

allow owners more choices. Mr. McOmber stated that the moratorium extension ties property owner's hands, and owners should have the right to do what they want with their property as long as it does not adversely affect anyone else, and it is the right economic choice for them. He claimed that the purpose of the moratorium is to hold down property values.

Rebecca Alder, 3112 NE 14th St., Renton, 98056, supported extending the moratorium for the reduced area as proposed by staff. She noted that a lot of work has been conducted on the Highlands redevelopment and it is still in process. She further noted that the zoning is just the first step, and that other steps concerning definitions and design will follow. Ms. Alder asserted that more time is needed to accomplish the zoning.

Inez Petersen, 3306 Lake Washington Blvd. N., #3, Renton, 98056, commented on a variety of statements made on various City fliers. In regards to the appeal, she indicated that if the City voluntarily conducts an Environment Impact Statement, then the appeal can be dispensed with. Regarding the moratorium, Ms. Petersen stated that if the City has no plans to use eminent domain, then a declaration of blight is not needed. She pointed out that if a blight declaration is not needed, then why not end the moratorium and allow citizens to improve their property. Ms. Petersen asked that Council end the moratorium, form a City and citizen coalition, and go back to the drawing board to determine what works for everyone.

Bimal Kumar, 2102 NE 23rd St., Renton, 98056, stated that the vested development referred to during the staff presentation is his project, and he described how he originally wanted to develop his property. Mr. Kumar pointed out that although the vision of the Highlands area is not wrong, the disrespect of the residents is wrong. He commented on the case-by-case determination by staff on renovation projects, as well as the allowed property renovations under the moratorium, questioning why they would be permissible on dilapidated buildings.

Discussion followed regarding Mr. Kumar's project, vested projects, the proposed zoning, and allowed development under the existing R-10 zoning.

Liz Cunningham, 8502 S. 119th St., Seattle, 98178, expressed her displeasure with the Highlands redevelopment process and the moratorium, and suggested that the City make use of the Landlord-Tenant Act to deal with landlords of run-down properties.

Gary Williamson, 2011 Harrington Ave. NE, Renton, 98056, asked that Council keep its word and not extend the moratorium.

There being no further public comment, it was MOVED BY CORMAN, SECONDED BY LAW, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

Moved by Corman, seconded by Persson, Council resolve not to extend the moratorium at this time.*

Council President Corman commented on the zoning proposal, pointing out that many community members have indicated that the original plan is not quite the right plan. He stated that he does not want to zone single-family out of the area, and noted that if the existing uses are going to remain conforming then there is no reason to have a moratorium. Mr. Corman indicated that a few odd

projects may result; however, most residents will hold off on projects until the zoning is in place if properties are not non-conforming.

Councilman Persson expressed two concerns: extending the moratorium when the prior extension was to be the last time, and allowing people to fix up their properties, which would most likely be addressed with a limited moratorium.

Councilman Clawson commented on all of the time spent studying the Highlands redevelopment, the need for affordable housing, and the importance of the area. He expressed his favor for at least extending the moratorium to prevent subdivision.

Councilman Law expressed concern that the Comprehensive Plan calls for a different density in the area, and he noted the progress being made on the zoning proposal. He voiced support for the alternate moratorium that bans only the subdivision of the properties, pointing out that it provides opportunity to fine tune the rezoning and to protect the progress made thus far.

Councilwoman Nelson voiced her fear for residents who want to redevelop their single-family housing, and her fear that if nothing is done, the area is going to get worse. She indicated that unless an effort is made, new stores and developers will not be attracted to the area. Ms. Nelson stated her support for the alternate moratorium that bans only the subdivision of properties.

In response to Council President Corman's concerns regarding non-conforming uses, Ms. Lind explained the difference between an existing legal use, which is conforming, and a legal non-conforming use.

*Motion to not extend the moratorium failed.

MOVED BY NELSON, SECONDED BY PALMER, COUNCIL EXTEND THE MORATORIUM WITH THE ALTERNATE RESOLUTION.*

Responding to a request for clarification, Ms. Lind explained that the alternate resolution enacts a moratorium on new single-family subdivision in the R-10 zone north of NE Sunset Blvd. She pointed out the lack of need for a moratorium in the RM-F zone, as new single-family development is not allowed in that zone. Ms. Lind confirmed that a duplex and a single-family footprint can be expanded.

***MOTION CARRIED.**

Vacation: Walkway, NW 6th
St & Rainier Ave N, AHBL,
VAC-06-001

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider the street vacation petition submitted by Matt Weber, AHBL, Inc., on behalf of JDA Group LLC and I.D. Kline Corporation, LLC for a 163-foot-long and ten-foot-wide walkway between NW 6th St. and Rainier Ave. N. (VAC-06-001).

Karen McFarland, Engineering Specialist, stated that City facilities contained within the subject area include an eight-inch sewer main and a twelve-inch water line. She explained that the petitioner plans to use the area in the future development of the adjacent parcels.

Ms. McFarland reported that the petition did not receive any objections from City departments and outside agencies; however, the Utilities Systems Division requested that an easement be retained over the entire right-of-way, and that grading and filling not be allowed within the easement area. She pointed out

that Puget Sound Energy may have facilities within the vacation area. Concluding, Ms. McFarland stated that staff recommends approval of the vacation request.

Ms. McFarland read correspondence from the petitioner's representative Matt Weber, AHBL, Inc., expressing support for the proposal and pointing out that the area has never been used as a pedestrian walkway. Mr. Weber indicated that the vacation will relieve the City of liability in having a walkway that is not needed, goes nowhere, and contains steep slopes.

Public comment was invited. There being none, it was MOVED BY BRIERE, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY BRIERE, SECONDED BY LAW, COUNCIL APPROVE THE REQUEST TO VACATE SUBJECT TO THE FOLLOWING CONDITIONS: A UTILITY EASEMENT BE RETAINED OVER THE ENTIRE RIGHT-OF-WAY; NO GRADING OR FILLING BE ALLOWED WITHIN THE EASEMENT AREA; AND THE PETITIONER PROVIDE SATISFACTORY PROOF THAT OUTSIDE UTILITY COMPANIES HAVE RECEIVED AND ARE SATISFIED WITH ANY EASEMENTS NECESSARY TO PROTECT THEIR FACILITIES WITHIN THE AREA. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2006 and beyond. Items noted included:

- ✧ The King County Northwest Natural Yard Days program is underway through May 15th. King County, in partnership with local government agencies, cities, and local water providers, supports this program to encourage the use of environmentally preferable yard care products.
- ✧ The 2006 Spring Recycling Day is scheduled for May 13th at Renton Technical College's north parking lot.

Public Safety: Integrated
Emergency Management
Course

Mayor Keolker announced that many City officials and staff attended the Integrated Emergency Management Course in Maryland last week, which was funded by the Federal government. Councilwoman Briere stated that she was impressed by City staff's performance during an earthquake exercise.

AUDIENCE COMMENT
Citizen Comment: Kumar -
Highlands Area
Redevelopment

Bimal Kumar, 2102 NE 23rd St., Renton, 98056, indicated that although the vision for the Highlands area has been approached in the wrong way, the effort must not be discontinued. He emphasized that a middle ground can be reached that addresses the neglected duplexes, and also allows people to keep their homes.

Citizen Comment: Petersen -
Various

Inez Petersen, 3306 Lake Washington Blvd. N., #3, Renton, 98056, commented that the Integrated Emergency Management Course referred to during the Administrative Report was a waste of taxpayer money. She asked that Heidi Beckley's comments made during Audience Comment at the Council meeting of 4/17/2006 be stricken from the meeting minutes. Regarding the graffiti incident that occurred in the Mayor's Office on April 17th, Ms. Petersen urged the Council and Mayor to take lie detector tests. In regards to the moratorium, she indicated that it is unclear as to what is now allowed and not allowed for single-family homes and duplexes.

Citizen Comment: McOmber - Highlands Area Redevelopment	Howard McOmber, 475 Olympia Ave. NE, Renton, 98056, stated his displeasure with the current R-10 zoning in the Highlands area, but pointed out that the proposed zoning is worse. He recommended simple, clear, creative, and friendly zoning text. Mr. McOmber noted that the Highlands Community Association has worked hard to improve the area, and wants to work with the City towards that effort. Additionally, he asked that the issue of eminent domain be taken off the table.
Citizen Comment: Quesenberry - Mayor's Office Graffiti Incident	Rosemary Quesenberry, 3609 SE 18th Ct., Renton, 98058, encouraged elected officials to cooperate with the police department in regards to the graffiti incident that occurred in the Mayor's Office on April 17th. Chief Administrative Officer Jay Covington reported that the City of Kent's police department is now investigating the graffiti incident following preliminary work by Renton's police department. He said to his knowledge, everyone who has been contacted by the police departments have cooperated fully with the investigation.
RECESS	MOVED BY NELSON, SECONDED BY LAW, COUNCIL RECESS FOR FIVE MINUTES. CARRIED. Time: 10:48 p.m. The meeting was reconvened at 10:58 p.m.; roll was called; all Councilmembers present.
Citizen Comment: Haugen - Various	In response to an inquiry by Virginia Haugen, 2503 R St. SE, Auburn, 98002, Council President Corman indicated that a deck higher than 18 inches off the ground is most likely allowed under the alternate Highlands Subarea Plan study area moratorium. Assistant City Attorney Zanetta Fontes clarified that due to circumstances related to conforming uses, allowance of a deck improvement is on a case-by-case basis. On another subject, Ms. Haugen disagreed with the spending of her tax dollars to send participants to the Integrated Emergency Management Course in Maryland.
CONSENT AGENDA	Items on the consent agenda are adopted by one motion which follows the listing. At the request of Council President Corman, item 9.a. was removed for separate consideration.
Council Meeting Minutes of 4/24/2006	Approval of Council meeting minutes of 4/24/2006. Council concur.
Appointment: Municipal Arts Commission	Mayor Keolker appointed Patricia Pepper, 28934 229th Pl. SE, Black Diamond, 98010, to the Municipal Arts Commission to fill a vacated three-year term expiring 12/31/2008. Refer to <u>Community Services Committee</u> .
Appointment: Municipal Arts Commission	Mayor Keolker reappointed Michael O'Halloran, 4420 SE 4th St., Renton, 98059, and Jerri Everett, 2525 Morris Ave. S., Renton, 98055, each to the Municipal Arts Commission for a three-year term expiring 12/31/2008. Council concur.
Appointment: Park Board	Mayor Keolker reappointed Tim Searing, 2100 SE 2nd Pl., Renton, 98056, and Ron Regis, 824 Jefferson Ave. NE, Renton, 98056, each to the Park Board for a four-year term expiring 6/1/2009. Council concur.
Appointment: Planning Commission	Mayor Keolker reappointed Nancy Osborn, 4635 Morris Ave. S., #F, Renton, 98055, to the Planning Commission for a three-year term expiring 6/30/2009. Council concur.

Police: Chief Appointment (Kevin Milosevich), Hire at Step D	Administrative, Judicial and Legal Services Department recommended confirmation of the appointment of Kevin Milosevich as the new Police Chief at pay grade m49, Step D, effective 5/16/2006. Council concur.
CAG: 06-047, Carco Theatre Roof Replacement, Wright Roofing	City Clerk reported bid opening on 3/29/2006 for CAG-06-047, Carco Theatre Roof Replacement; three bids; engineer's estimate \$50,000 to \$80,000; and submitted staff recommendation to award the contract to low bidder, Wright Roofing, Inc., in the amount of \$99,382.27. Council concur.
Plat: Wedgewood Lane Division V, Hoquiam Ave NE, PP-05-166	Hearing Examiner recommended approval, with conditions, of the Wedgewood Lane Division V Preliminary Plat; 13 single-family lots on 2.38 acres located at 1002 Hoquiam Ave. NE. Council concur.
Transportation: Renton Bicycle Route Connection Plan, WSDOT Grant	Transportation Systems Division recommended approval of an agreement with Washington State Department of Transportation for a \$100,000 Federal Transportation Enhancement Program grant for the Renton Bicycle Route Connection Plan. Council concur. (See page 151 for resolution.)
Transportation: S 3rd St at Shattuck Ave S, WSDOT Grant	Transportation Systems Division recommended approval of an agreement with Washington State Department of Transportation for a \$200,000 State Pedestrian and Bicycle Safety Program grant for the S. 3rd St. at Shattuck Ave. S. project. City's total match is \$100,000. Refer to <u>Transportation (Aviation) Committee</u> .
Utility: Springbrook Creek Wetland Mitigation Bank Sundry Site Plan, WSDOT	Utility Systems Division recommended approval of the Springbrook Creek Wetland Mitigation Bank Site Sundry Site Plan agreement with Washington State Department of Transportation regarding preparation of the lot line adjustment and land rights maps. City's cost share is \$12,825. Council concur. (See page 151 for resolution.)
Utility: Benson Rd S Water Line Relocation Design, HDR Engineering	Utility Systems Division recommended approval of an agreement in the amount of \$86,844 with HDR Engineering, Inc. to design the relocation of the water line in Benson Rd. S. Washington State Department of Transportation will reimburse the City 50% of the cost. Council concur.
<p>MOVED BY CORMAN, SECONDED BY LAW, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 9.a. FOR SEPARATE CONSIDERATION. CARRIED.</p>	
<p><u>Separate Consideration</u> <u>Item 9.a.</u> Council Meeting Minutes of 4/17/2006</p>	<p>Council President Corman requested that the Council meeting minutes of 4/17/2006 be corrected as indicated:</p> <p>Page 117, 1st paragraph, 1st sentence, delete the words "to confine comments to the subject of the public hearing," and replace with the words "relative to comments that they felt were off topic." Following that sentence, add the statement "Council President Corman and Mayor Keolker expressed disagreement over how narrowly to construe the topic of the public hearing."</p> <p>MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL APPROVE THE TWO CHANGES TO THE MINUTES OF 4/17/2006 AS RECOMMENDED.*</p> <p>Mr. Corman requested a third correction to the 4/17/2006 minutes related to Heidi Beckley's comments under Audience Comment. Council discussion followed. The request for a third correction was dropped.</p> <p>*MOTION CARRIED.</p>

MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL ADOPT THE 4/17/2006 MINUTES AS AMENDED. CARRIED.

CORRESPONDENCE

Citizen Comment: Adams -
Water Line Oversizing
Reimbursement, Cottages at
Honey Creek

A letter was read from Harvey Adams, Davis Real Estate Group, 27013 Pacific Hwy, S., PMB #353, Des Moines, 98198, requesting reimbursement in the amount of \$22,926.58 for oversizing the water line at NE Sunset Blvd. for the Cottages at Honey Creek subdivision at the City's request. MOVED BY BRIERE, SECONDED BY NELSON, COUNCIL REFER THIS CORRESPONDENCE TO THE UTILITIES COMMITTEE. CARRIED.

UNFINISHED BUSINESS

Finance Committee

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 248018 - 248436 and two wire transfers totaling \$3,139,825.63; and approval of Payroll Vouchers 63193 -63383, one wire transfer, and 609 direct deposits totaling \$1,989,948.77. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation: Limited Term
Positions Hire, Construction
Management & Inspection
Services

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the Mayor to use approved funding for the SR-169 HOV Improvements and Duvall Ave. NE projects to create and fill three limited term positions to provide construction inspection and construction management services for these projects. The three limited term positions are for two construction inspectors and one Civil Engineer III. The positions are expected to be needed for 12 months, with the total cost projected to be \$279,500. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

Resolution #3805

Planning: Highlands Subarea
Plan Study Area Moratorium

A resolution was read establishing facts, extending a moratorium on new development in the R-10 zone within the Highlands Subarea Plan study area, and establishing a termination date of 11/14/2006 for the moratorium. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3806

Transportation: Renton
Bicycle Route Connection
Plan, WSDOT Grant

A resolution was read authorizing the Mayor and City Clerk to enter into a local agency agreement with the Washington State Department of Transportation to accept grant funding to produce a map identifying a bicycle network within the City of Renton. MOVED BY PALMER, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3807

Utility: Springbrook Creek
Wetland Mitigation Bank
Sundry Site Plan, WSDOT

A resolution was read authorizing the Mayor and City Clerk to enter into an agreement with the Washington State Department of Transportation regarding joint funding for preparation of an existing land rights map and lot line adjustment map for the Springbrook Creek Wetland Mitigation Bank Site, generally referred to as the "Sundry Site Plan." MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 5/15/2006 for second and final reading:

Annexation: Akers Farms,
108th Ave SE & Puget Dr S

An ordinance was read annexing approximately 14.02 acres generally located immediately south of SE 160th St. and north of SE 164th St., east of 108th Ave. SE and west of 110th Ave. SE, if extended (Akers Farms Annexation).

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 5/15/2006. CARRIED.

Annexation: Akers Farms, R-8
Zoning

An ordinance was read establishing the zoning classification of approximately 12.99 acres, generally located immediately south of SE 160th St. and north of SE 164th St., east of 108th Ave. SE and west of 110th Ave. SE, if extended, annexed within the City of Renton as R-8 (Residential - eight dwelling units per acre) zoning; Akers Farms Annexation. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 5/15/2006. CARRIED.

NEW BUSINESS

Planning: Highlands Area
Redevelopment

Expressing his concerns regarding the conflict surrounding the Highlands redevelopment effort, Council President Corman made a motion proposing a resolution be adopted, which indicates that there will be no further consideration of eminent domain or designation of blight areas in the Renton Highlands redevelopment planning effort. Discussion followed regarding the proposal, including the lack of advanced notice for the resolution, the need to review the State Community Renewal Act and the use of eminent domain, and community concerns and inconsistencies regarding the issue of eminent domain.

As a point of order, Assistant City Attorney Fontes noted the lack of a second for Mr. Corman's motion. Discussion then ensued regarding the Council workshop on May 17th on the North Harrington Neighborhood Redevelopment Strategies. It was noted that the topics proposed for discussion concern the zoning proposal, non-conformity, affordable housing, and the Community Renewal Act, and that the workshop agenda is open for Council input. It was also noted that the workshop provides the opportunity for obtaining more information about the issues, and the opportunity to discuss public comments received thus far.

AUDIENCE COMMENT

Citizen Comment: Hawton -
Highlands Area
Redevelopment

In response to Brett Hawton's inquiries, 1308 Harrington Ave. NE, Renton, 98056, it was confirmed that there is a possibility that zoning for existing single family homes in the Highlands area will be legal and conforming, and spot-zoning was addressed.

Citizen Comment: DeMastus -
Highlands Area
Redevelopment

Sandel DeMastus, 1137 Harrington Ave. NE, Renton, 98056, noted that the Highlands Community Association's meeting concerning the Highlands Redevelopment is being cablecast on community access channel 77.

Citizen Comment: Petersen -
Highlands Area
Redevelopment

Inez Petersen, 3306 Lake Washington Blvd. N., #3, Renton, 98056, indicated that the Landlord-Tenant Act could have been used all along to address the inadequate landlords in the Highlands area. She disagreed with the way citizen comments were summarized in the April 17th Council meeting minutes, and questioned which Councilmembers voted for the moratorium extension. Additionally, Ms. Petersen stated that a declaration of blight is the vehicle that allows eminent domain, and she commented on the Highlands Community Association's sincere efforts of behalf of the Highlands residents.

Councilman Clawson pointed out that the City has no authority under the Landlord-Tenant Act, and remedies must be handled through the nuisance or code abatement process.

Citizen Comment: McOmber -
Highlands Area
Redevelopment

Howard McOmber, 475 Olympia Ave. NE, Renton, 98056, stressed the importance of property rights, saying that it is wrong to take property from an owner and give it to another private party for the purposes of business.

Citizen Comment: Williamson
- Highlands Area
Redevelopment

Gary Williamson, 2011 Harrington Ave. NE, Renton, 98056, expressed his disappointment with the extension of the moratorium in the Highlands area, and his concern regarding the City's potential use of eminent domain. Additionally, Mr. Williamson commented on neighborhood standards, questioning what legal obligations he has to his neighbors to keep his property in a certain way if he is not causing anyone harm, and his property does not present a health hazard.

Council discussion followed regarding eminent domain. Comments included: Council has yet to discuss eminent domain at any length and will do so at the upcoming Council workshop; decisions regarding eminent domain have not been made; eminent domain has been a topic of discussion at this Council meeting; accommodations were made this evening to have an extensive discussion on the Highlands and many citizens expressed their concerns about eminent domain; and the Council workshop venue may not be big enough to accommodate interested parties and suitable accommodations should be made.

ADJOURNMENT

MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL
ADJOURN. CARRIED. Time: 12:07 a.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
May 8, 2006